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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,982	11/16/2001	Chikashi Satou	110811	8001

25944 7590 07/27/2004

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EXAMINER

NGUYEN, XUAN LAN T

ART UNIT	PAPER NUMBER
3683	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/987,982

**Applicant(s)**

SATOU ET AL.

**Examiner**

Lan Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,5-12 and 14-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-12 and 14-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5-12 and 14-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Klaue.

Re: claim 1, Klaue shows a range shift display unit in figure 4, as in the present invention, comprising: a target range detection means 621 for detecting the position of the shift rod 43 selected by the driver and sending a signal to the ECU 61 by the dotted line; and display processing means ECU 61 for driving a portion, another digital display mentioned in column 6, line 2, of a display, 49, 49a, another digital display, corresponding to the target range selected by the driver by at least two driving methods of blinking the another digital display and stop blinking when the gears are synchronized.

Re: claim 5, Klaue shows that warning light 49a is on, another digital display is blinking and display 49 is on during the transient stage until the gears are synchronized.

Re: claim 6, it is inherent that there would be a parking range in a vehicle.

Re: claim 7, Klaue shows the display with portions 49, 49a, another digital display.

Re: claims 8 and 9, column 6, lines 1-41 shows that another digital display is made to blink until the gears are synchronized.

Re: claims 10 and 11, Klaue shows shift valve 518.

Re: claim 19, Klaue shows shift means 43, shift processing means ECU 61.

Re: claim 20, Klaue shows shift position detection means 621-628.

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Re: claim 21, column 6, lines 1-41 shows that another digital display is made to blink, first method, and turned off when the gears are synchronized, second method.

Re: claim 22, see column 5, line 59 to column 6, line 8.

Re: claim 23 and 24, column 6, lines 1-41 shows that another digital display is made to blink until the gears are synchronized.

Re: claim 25, Klaue shows the another digital display stop blinking whether the target range selected by the driver has been reached.

Re: claim 12, Klaue shows a range shift display method, as in the present invention, comprising: detecting a target range selected by the driver by 621, generating a signal by the dotted line; driving a portion, another digital display, of a display 49, 49a, another digital display, to blink and to stop blinking.

Re: claim 14, Klaue shows that warning light 49a is on, another digital display is blinking and display 49 is on during the transient stage until the gears are synchronized.

Re: claim 15, Klaue shows the display corresponding to ranges from 621-628.

Re: claim 16, it is inherent that there would be a parking range in a vehicle.

Re: claims 17 and 18, column 6, lines 1-41 shows that another digital display is made to blink until the gears are synchronized.

Re: claims 26-31, Klaue shows disposing shift means 43, generating a range pressure by valve 418, driving the another digital display to blink, first method, and stop blinking, second method, when the gears are synchronized.

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Re: claim 32, Klaue shows a range shift display unit, as in the present invention, comprising: a controller 61 that detects a target range by the dotted line going from 621 to ECU, generates a signal and drives an another digital display by two methods.

Re: claims 33-36, column 5 line 59 to column 6, line 14 shows the first method is to make the another digital display to blink and the second method is to stop blinking when the gears are synchronized.

### ***Response to Arguments***

4. Applicant's arguments filed 4/23/04 have been fully considered but they are not persuasive. Applicant argues that in the instant invention, the target range, which is selected by the driver, is the D range which is made to blink until the target range is reached. Applicant asserts that the portion D on the display of the instant invention is the equivalent of display 49 of Klaue. However, display 49 of Klaue is not made to blink while another digital display is made to blink. Applicant's argument is more specific than the claim. It is maintained that the display of Klaue, comprising 49, 49a and another digital display, corresponds to the target range, which is selected by the driver because the display as a whole is activated and driven due to the fact that the driver has located the shift rod to a position such as 621. While the another digital display is blinking, it is doing so corresponding to the fact that the driver has wished to change gear. Hence, Klaue shows that a portion, the another digital display, corresponding to the target range selected by the driver (i.e. corresponding to the fact that the driver has

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shifted the shift rod 43) is made to blink, first method, and to stop blinking, second method. Hence, the rejection is still deemed proper and is repeated above.

### ***Conclusion***

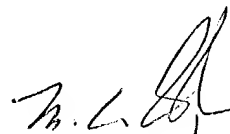
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Nguyen whose telephone number is 703-308-8347. The examiner can normally be reached on M-F, 8 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on 703-308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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7/22/2009

**MATTHEW C. GRAHAM**  
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